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Attorneys for the United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,

v.

\$209,815 IN UNITED STATES CURRENCY,  
Defendant.

CASE NO. 14-0780 SC

STIPULATION AND ORDER TAKING AUGUST  
28, 2015 CASE MANAGEMENT CONFERENCE  
OFF CALENDAR

JULIO FIGUEROA,

Claimant.

Date: August 28, 2015  
Time: 10:00 a.m.  
Place: Courtroom 1 – 17<sup>th</sup> Floor  
450 Golden Gate Ave.  
San Francisco, CA

The parties agree, subject to the Court's approval, to take the August 28, 2015 case management conference off calendar. At the time that the Clerk set that CMC on June 24, the CMC followed the hearing on the parties' cross motions for summary judgment which was scheduled for July 31, 2015. See Clerk's Notice, filed June 24, 2015 (rescheduling the CMC to August 28, 2015); Stipulation and

Order Re: Scheduling (rescheduling the hearing on the cross motions to July 31, 2015), filed June 19, 2015. At this time, however, although the parties have filed cross motions for summary judgment, the Court allowed claimant to file a surreply (which he did on August 4, 2015), and has allowed the government to respond (which it intends to do, on or before August 18, 2015). *See* Order, etc., filed July 28, 2015, at 3.

In addition, once the Court resolves the pending summary judgment motion, there is already a schedule in place which sets a CMC. Specifically, the Court entered a stipulated order that provides:

1. The parties have 75 days to complete discovery from the date of the Court order resolving claimant's motion.
2. The parties call the clerk to schedule a case management conference approximately two weeks before the close of discovery.
3. The parties have 14 days from the close of discovery to identify experts.
4. The parties have 21 days from the identification of expert witnesses to identify rebuttal expert witnesses.
5. The parties have 30 days from the identification of rebuttal expert witnesses to complete expert discovery.

*See* Stipulation and Order, etc., entered May 13, 2015.

In sum, with pending motions, there is no need to have a CMC on August 28, 2015, and there is no need for rescheduling a CMC because of the schedule the Court previously ordered.

IT IS SO STIPULATED:

Date: August 14, 2015

MELINDA HAAG

United States Attorney

  
PATRICIA J. KENNEY

Assistant United States Attorney

LAW OFFICES OF DAVID M. MICHAEL

Date: August \_\_\_\_\_, 2015

\_\_\_\_\_  
DAVID M. MICHAEL

EDWARD M. BURCH

Attorneys for claimant Julio Figueroa

IT IS SO ORDERED ON THIS \_\_\_\_\_ DAY OF AUGUST, 2015, THAT THE CMC SCHEDULED FOR AUGUST 26, 2015 IS TAKEN OFF CALENDAR.

\_\_\_\_\_  
HONORABLE SAMUEL CONTI  
United States District Judge

Order Re: Scheduling (rescheduling the hearing on the cross motions to July 31, 2015), filed June 19, 2015. At this time, however, although the parties have filed cross motions for summary judgment, the Court allowed claimant to file a surreply (which he did on August 4, 2015), and has allowed the government to respond (which it intends to do, on or before August 18, 2015). *See* Order, etc., filed July 28, 2015, at 3.

In addition, once the Court resolves the pending summary judgment motion, there is already a schedule in place which sets a CMC. Specifically, the Court entered a stipulated order that provides:

1. The parties have 75 days to complete discovery from the date of the Court order resolving claimant's motion.
2. The parties call the clerk to schedule a case management conference approximately two weeks before the close of discovery.
3. The parties have 14 days from the close of discovery to identify experts.
4. The parties have 21 days from the identification of expert witnesses to identify rebuttal expert witnesses.
5. The parties have 30 days from the identification of rebuttal expert witnesses to complete expert discovery.

*See* Stipulation and Order, etc., entered May 13, 2015.

In sum, with pending motions, there is no need to have a CMC on August 28, 2015, and there is no need for rescheduling a CMC because of the schedule the Court previously ordered.

IT IS SO STIPULATED:

MELINDA HAAG  
United States Attorney

Date: August \_\_\_\_, 2015

PATRICIA J. KENNEY  
Assistant United States Attorney

LAW OFFICES OF DAVID M. MICHAEL

Date: August 14, 2015

  
DAVID M. MICHAEL  
EDWARD M. BURCH  
Attorneys for claimant Julio Figueroa

IT IS SO ORDERED ON THIS 17th DAY OF AUGUST, 2015, THAT THE CMC SCHEDULED FOR AUGUST 26, 2015 IS TAKEN OFF CALENDAR.

  
HONORABLE SAMUEL CONTI  
United States District Judge

STIP & ORDER RE: SCHEDULING  
NO. 14-CV-00780 SC